

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 82-34

ORDER REQUIRING SANITARY DISTRICT NO. 1 OF MARIN COUNTY TO  
CEASE AND DESIST FROM DISCHARGING WASTES CONTRARY TO REQUIREMENTS  
PRESCRIBED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,  
SAN FRANCISCO BAY REGION, AND RESCINDING ORDER NO. 79-132

The California Regional Water Quality Control Board, San Francisco Bay  
Region, (hereinafter called the Board) finds that:

1. The Sanitary District No. 1 of Marin County (hereinafter called the discharger) provides treatment and disposal of wastewater collected by Sanitary District No. 2 of Marin County and by the City of Larkspur; and collection, treatment, and disposal of wastewater for the Towns of Ross, Kentfield, San Anselmo, Fairfax, and Greenbrae.
2. On June 21, 1977, the Board adopted Order No. 77-67 (NPDES Permit No. CA0037877) prescribing requirements for the waste discharge by the discharger from its municipal sewage treatment plant.
3. On October 16, 1979, the Board adopted Order No. 79-132, a Cease and Desist Order containing a compliance time schedule for design, construction, and operation of necessary wastewater facilities. Because of delays beyond the discharger's control, the time schedule for NPDES Permit compliance as contained in Order No. 79-132 has not been met and is no longer appropriate.
4. On June 16, 1982, the Board reissued the NPDES Permit in Order No. 82-32, containing prohibitions, effluent limitations, and receiving water limitations.
5. Order No. 82-32 states, in part, as follows:

"A. Prohibitions

1. Discharge of wastewater through the present outfall to Corte Madera Creek is prohibited.
  2. There shall be no bypass or overflow of untreated wastewater to waters of the United States, either at the treatment plant or the collection system."
6. On June 16, 1982, at a meeting starting at 9:30 a.m. in the Assembly Room, State Building, 1111 Jackson Street, Oakland, California, after due notice to the discharger and all other interested and affected persons and agencies, the Regional Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.

7. The discharger is violating and threatening to violate waste discharge requirements issued by the Board.
8. This action is an order to enforce waste discharge requirements adopted by the Board. This action is therefore exempt from CEQA pursuant to Section 15121 of the Resource Agency Guidelines.

IT IS HEREBY ORDERED THAT:

- A. The discharger shall cease and desist from discharging wastes contrary to requirements listed in Finding 5 of this Order.
- B. Compliance with this Board's Order No. 82-32 shall be completed in accord with the following schedule:

<u>Task</u>	<u>Completion Date</u>
1. Award construction contract for Phase II, Collection System and Outfall.	July 31, 1983
2. Complete Construction of Treatment Plant (Phase I).	February 1, 1985
3. Complete Construction of Collection System, and Outfall (Phase II).	February 1, 1985
4. Full Compliance with NPDES Permit	March 1, 1985

- C. The discharger is required to provide the Board by August 15, 1982 and quarterly thereafter, a report, under penalty of perjury, on progress toward compliance with the Provisions of this Order.
- D. If, in the determination of the Executive Officer, the discharger fails to comply with the provisions of this Order, the Executive Officer is authorized to take the following action after approval of the Board Chairman:
  - . request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate; and/or
  - . schedule a hearing for the Board to consider whether to restrict or prohibit the volume, type, or concentration of waste that may be added to the sewer system.
- E. If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General or schedule a hearing to consider a restriction on additional discharges to the sewer system, he is instructed to report to the Board the reasons that the discharger has been unable to comply with the provisions of this Order.
- F. Order No. 79-132 is hereby rescinded.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on June 16, 1982.

FRED H. DIERKER  
Executive Officer